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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/694,714	10/23/2000	C. Philip Vassar	51000.P022	3232

7590 04/16/2004

KAPLAN & GILMAN, L.L.P.
900 ROUTE 9 NORTH
WOODRIDGE, NJ 07095

EXAMINER

VU, VIET DUY

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 04/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/694,714

Applicant(s)

VASSAR ET AL.

Examiner

Viet Vu

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 March 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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Art Rejections:

1. The text of 35 USC 103(a) not cited here can be found in the previous office action.

2. Claims 1-39 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Doganata et al, U.S. pat. No. 6,282,278.

Per claim 1, Doganata discloses a resource broker for establishing communications with a plurality of independent service providers comprising:

- a) a storage medium (12, fig. 5) for storing a plurality of programming instructions to implement a set of communication services for receiving on behalf of a plurality of offeror service providers a request from a offeree seeking assistance from the service providers, and determining which of the service providers should process the request (see col 3, lines 37-62),
- b) a database (14, fig. 5) for storing/registering requests (see col 5, lines 8-13),
- c) an execution unit for executing the program instructions (see col 4, lines 2-18).

Doganata does not explicitly teach providing other services such as downloadable data contents. An official notice is taken that the use of web servers to provide various downloadable contents is well known in the art.

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize such data content servers in Doganata because it would have further provided enhanced conference services in Doganata, e.g., allowing sharing data files during browser-based conference.

Per claims 2-4, the use of queues for processing requests in an orderly manner is well known in the art.

Per claims 5-8, Doganata teaches enabling the offeree to submit the request by accessing a web link to electronic form (web page) using a conventional web browser (see col 3, lines 31-35).

Per claims 9-10, Doganata does not teach using topically organized conference request queues. An official notice is taken that organizing pending conferences according to their types or topics are widely known in the art.

Per claims 11-13, Doganata also teaches selecting a service provider based upon a price (see col 4, lines 27-32).

Claims 14-39 are similar in scope as that of claims 1-13 and hence are also rejected for the same rationale set forth above for claims 1-13.

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Response to Amendment:

3. Applicant's arguments filed 3/26/04 regarding claims 1-39 are moot in view of new grounds of rejection set forth above.

Conclusion:

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Viet Vu whose telephone number is (703) 305-9597. The examiner can normally be reached on Monday through Thursday from 8:00am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee, can be reached on (703) 305-8498.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-9600.



VIET D. VU
PRIMARY EXAMINER

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4/13/04